

NOTICE PUBLICATION/REGULATION SUBMISSION

REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-2013-04110-07	2013-0802-04S	

For use by Office of Administrative Law (OAL) only

RECEIVED FOR FILING PUBLICATION DATE

APR 16 '13 APR 26 '13

Office of Administrative Law

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OFFICE OF
ADMINISTRATIVE LAW

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY

Commission on Teacher Credentialing

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE English Learner and World Language: ELD		TITLE(S) 5	FIRST SECTION AFFECTED 80003	2. REQUESTED PUBLICATION DATE April 26, 2013
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON Tammy A. Duggan		TELEPHONE NUMBER (916) 323-5354
FAX NUMBER (Optional) (916) 322-0048		NOTICE REGISTER NUMBER 2013-17-2		PUBLICATION DATE 04-26-2013
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn				

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) English Learner and World Language: ELD	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	ADOPT
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	AMEND
TITLE(S) 5	REPEAL

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Tammy A. Duggan	TELEPHONE NUMBER (916) 323-5354	FAX NUMBER (Optional) (916) 322-0048	E-MAIL ADDRESS (Optional) tduggan@ctc.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE Mary Vixie Sandy	DATE 8/2/13
TYPED NAME AND TITLE OF SIGNATORY Mary Vixie Sandy, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

AUG 12 2013

Office of Administrative Law

INSTRUCTIONS FOR PUBLICATION OF NOTICE AND SUBMISSION OF REGULATIONS

Use the form STD. 400 for submitting notices for publication and regulations for Office of Administrative Law (OAL) review.

ALL FILINGS

Enter the name of the agency with the rulemaking authority and agency's file number, if any.

NOTICES

Complete Part A when submitting a notice to OAL for publication in the California Regulatory Notice Register. Submit two (2) copies of the STD. 400 with four (4) copies of the notice and, if a notice of proposed regulatory action, one copy each of the complete text of the regulations and the statement of reasons. Upon receipt of the notice, OAL will place a number in the box marked "Notice File Number." If the notice is approved, OAL will return the STD. 400 with a copy of the notice and will check "Approved as Submitted" or "Approved as Modified." If the notice is disapproved or withdrawn, that will also be indicated in the space marked "Action on Proposed Notice." Please submit a new form STD. 400 when resubmitting the notice.

REGULATIONS

When submitting regulations to OAL for review, fill out STD. 400, Part B. Use the form that was previously submitted with the notice of proposed regulatory action which contains the "Notice File Number" assigned, or, if a new STD. 400 is used, please include the previously assigned number in the box marked "Notice File Number." In filling out Part B, be sure to complete the certification including the date signed, the title and typed name of the signatory. The following must be submitted when filing regulations: seven (7) copies of the regulations with a copy of the STD. 400 attached to the front of each (one copy must bear an original signature on the certification) and the complete rulemaking file with index and sworn statement. (See Gov. Code § 11347.3 for rulemaking file contents.)

RESUBMITTAL OF DISAPPROVED OR WITHDRAWN REGULATIONS

When resubmitting previously disapproved or withdrawn regulations to OAL for review, use a new STD. 400 and fill out Part B, including the signed certification. Enter the OAL file number(s) of all previously disapproved or withdrawn filings in the box marked "All Previous Related OAL Regulatory Action Number(s)" (box 1b. of Part B). Submit seven (7) copies of the regulation to OAL with a copy of the STD. 400 attached to the front of each (one copy must bear an original signature on the certification). Be sure to include an index, sworn statement, and (if returned to the agency) the complete rulemaking file. (See Gov. Code §§ 11349.4 and 11347.3 for more specific requirements.)

EMERGENCY REGULATIONS

Fill out only Part B, including the signed certification, and submit seven (7) copies of the regulations with a copy of the STD. 400 attached to the front of each (one copy must bear an original signature on the certification). (See Gov. Code § 11346.1 for other requirements.)

NOTICE FOLLOWING EMERGENCY ACTION

When submitting a notice of proposed regulatory action after an emergency filing, use a new STD. 400 and complete Part A and insert the OAL file number(s) for the original emergency filing(s) in the box marked "All Previous Related OAL Regulatory Action Number(s)" (box 1b. of Part B). OAL will return the STD. 400 with the notice upon approval or disapproval. If the notice is disapproved, please fill out a new form when resubmitting for publication.

CERTIFICATE OF COMPLIANCE

When filing the certificate of compliance for emergency regulations, fill out Part B, including the signed certification, on the form that was previously submitted with the notice. If a new STD. 400 is used, fill in Part B including the signed certification, and enter the previously assigned notice file number in the box marked "Notice File Number" at the top of the form. The materials indicated in these instructions for "REGULATIONS" must also be submitted.

EMERGENCY REGULATIONS - READOPTION

When submitting previously approved emergency regulations for re adoption, use a new STD. 400 and fill out Part B, including the signed certification, and insert the OAL file number(s) related to the original emergency filing in the box marked "All Previous Related OAL Regulatory Action Number(s)" (box 1b. of Part B).

CHANGES WITHOUT REGULATORY EFFECT

When submitting changes without regulatory effect pursuant to California Code of Regulations, Title 1, section 100, complete Part B, including marking the appropriate box in both B.3. and B.5.

ABBREVIATIONS

Cal. Code Regs. - California Code of Regulations
Gov. Code - Government Code
SAM - State Administrative Manual

For questions regarding this form or the procedure for filing notices or submitting regulations to OAL for review, please contact the Office of Administrative Law Reference Attorney at (916) 323-6815.

CALIFORNIA CODE OF REGULATIONS
TITLE 5. EDUCATION
DIVISION 8. COMMISSION ON TEACHER CREDENTIALING

§ 80003. Multiple Subject Teaching Credential Authorization for Service.

The Multiple Subject Teaching Credential authorizes the holder to provide the services described below in grades twelve and below, including preschool, and in classes organized primarily for adults.

- (a) Teach all subjects in a self-contained class;
- (b) Teach in a team teaching setting or regroup students across classrooms as authorized in Education Code Section 44258.15. For the purpose of this section, team teaching is defined as two teachers of the same grade level exchanging students for the purpose of instruction in specific subjects. Regrouping of students is the practice of two or more teachers combining students across classes for specific instructional purposes;
- (c) Teach core classes to students in grades five through eight pursuant to Education Code Section 44258.1. Core classes consist of teaching two or more subjects to the same group of students; ~~and~~
- (d) Teach any of the core subjects he or she is teaching to a single group of students in the same grade level as the core classes for less than fifty percent of his or her work day pursuant to Education Code Section 44258.1-; and
- (e) One of the following:
 - (1) Individuals enrolled in a multiple subject teacher preparation program pursuant to Education Code Section 44259.5(a) on or before December 31, 2013 who remain continuously enrolled, as defined in Education Code Section 44252.1(b)(2), until program completion are authorized to provide instruction to limited-English proficient pupils as specified in Education Code Section 44253.3(a). The final initial issuance date for a preliminary Multiple Subject Teaching Credential with the English learner authorization specified in this subsection shall be December 31, 2016.
 - (2) Individuals enrolled in a multiple subject teacher preparation program as specified in Education Code Section 44259.5(a) after December 31, 2013 are authorized to provide instruction for English language development as defined in Education Code Section 44253.2(a) and specially designed content instruction delivered in English as defined in Education Code Section 44253.2(b) in the settings specified in subsections (a) through (d).

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(e), 44252.1, 44253.2(a), 44253.2(b), 44253.3(a), 44256(b), 44258.1, ~~and~~ 44258.15; and 44259.5(a), Education Code.

§ 80004. Single Subject Teaching Credential Authorization for Service.

(a) The Single Subject Teaching Credential authorizes the holder to teach the subject/content area(s) listed on the document in grades twelve and below, including preschool, and in classes organized primarily for adults.

(b) The holder of a Single Subject Teaching Credential in the following subject/content areas is authorized to teach health science:

(1) Health Science,

(2) Life Science, and

(3) Physical Education if the document was initially issued prior to January 1, 1981.

(c) The holder of a Single Subject Teaching Credential in Agriculture, Business, Home Economics, Industrial Arts, or Industrial and Technology Education is authorized to teach the subject/content area listed on the document in classes designated as career technical, trade, or vocational by the employing agency.

(d) The holder of a Single Subject Teaching Credential in Foundational-Level General Science is authorized ~~the holder~~ to teach the subject areas as described below in the following grade levels.

(1) Grades twelve and below, including preschool, and in classes organized primarily for adults:

(A) Introductory and general science,

(B) Introductory life science, and

(C) Introductory physical science.

(2) Grades preschool, and kindergarten through eight:

(A) Integrated science.

(e) The holder of a Single Subject Teaching Credential in World Language: English Language Development is authorized to teach the subject area as described below at the grade and age levels specified in subsection (a):

(1) Departmentalized instruction in English language development including reading, writing, listening, and speaking as defined in Education Code section 44253.2(a);

(2) Specially designed content instruction delivered in English as defined in Education Code section 44253.2(b) within any content area(s) added to the credential or any additional credential(s) or subject area authorization(s) earned.

(f) The Single Subject Teaching Credential also authorizes the holder to provide one of the following:

- (1) Individuals enrolled in a single subject teacher preparation program pursuant to Education Code Section 44259.5(a) on or before December 31, 2013 who remain continuously enrolled, as defined in Education Code Section 44252.1(b)(2), until program completion are authorized to provide instruction to limited-English proficient pupils as specified in Education Code Section 44253.3(a). The final initial issuance date for a preliminary Single Subject Teaching Credential with the English learner authorization specified in this subsection shall be December 31, 2016.
- (2) Individuals enrolled in a single subject teacher preparation program as specified in Education Code Section 44259.5(a) after December 31, 2013 are authorized to provide instruction for English language development as defined in Education Code Section 44253.2(a) and specially designed content instruction delivered in English as defined in Education Code Section 44253.2(b) within the content area(s) listed on the document.

Note: Authority cited: Section 44225(eq), Education Code. Reference: Sections 44225(qe), 44252.1, 44253.2(a), 44253.2(b), 44253.3(a), and 44256, and 44259.5, Education Code.

§ 80048.6. Authorizations for Education Specialist Instruction Credentials and Special Education Added Authorization.

- (a) The following definitions apply to authorizations for Education Specialist Instruction Credentials and Special Education Added Authorizations:
- (1) “Service across the continuum of program options available”; Pursuant to Education Code Sections 56031, 56360, and 56361, the continuum includes resource rooms or services; special education settings; general education settings; special schools; home/hospital settings; state hospitals; development centers; correctional facilities; non-public, non-sectarian schools and agencies as defined in Education Code Sections 56365 and 56366; and alternative and non-traditional instructional public school settings other than classrooms.
 - (2) “Developmental delay”: Student who needs special education and related services by experiencing a delay in one or more of the following: physical development, cognitive development, communication development, social or emotional development or adaptive development.
 - (3) “Hard-of-hearing or hearing loss includes unilateral or bilateral, whether fluctuating, conductive, sensorineural, and/or auditory neuropathy”: Hearing impairment or hearing loss, whether permanent or fluctuating, that adversely affects a child’s educational performance but that is not included under the definition of deafness but may include problems involving the cochlea, the sensory organ of hearing.
 - (4) “Educational Assessment”: Assessment of students in a comprehensive manner within the authorization of the teaching credential or added authorization using multiple sources of information and a variety of strategies that directly measure a student’s performance to meet goals in areas of grade-level academic curriculum and/or functional goals designed

to meet the Individualized Education Program (IEP), Individualized Family Service Program, and/or Individualized Transition Plan goals and objectives regarding eligibility and services that directly result from the student's disability according to state and federal accountability systems. The assessment process may include both formal and informal assessments to evaluate students' educational instruction needs and strengths for the purpose of making accommodations, modifications, and instructional decisions.

(5) "Special Education Support": Support includes participation in the IEP, Individualized Family Service Program, and/or Individualized Transition Plan process including planning and implementation of the student's IEP, Individualized Family Service Program, and/or Individualized Transition Plan; providing consultative, collaborative, and coordinating specially designed instruction with students, parents, teachers, and other community and school personnel; planning, developing, and implementing instructional program plans relative to and within the authorization of the credential or added authorization. Special education support does not include providing language, speech and hearing therapy, orientation and mobility, or audiology services.

(b) The following authorizations refer to the disabilities defined in Title 34 Code of Federal Regulations:

(1) The Education Specialist Instruction Credential: Mild/Moderate Disabilities authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of specific learning disabilities, mild/moderate ~~mental retardation~~ intellectual disabilities, other health impairment, and emotional disturbance; in kindergarten, grades 1-12 through age 22, and classes organized primarily for adults in services across the continuum of program options available.

(2) The Education Specialist Instruction Credential: Moderate/Severe Disabilities authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of autism, moderate/severe ~~mental retardation~~ intellectual disabilities, deaf-blind, emotional disturbance, and multiple disabilities, to students in kindergarten, grades 1-12 through age 22, and classes organized primarily for adults in services across the continuum of program options available.

(3) The Education Specialist Instruction Credential: Deaf and Hard-of-Hearing authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary or secondary disability of deaf or hard-of-hearing or deaf-blind, and services to students with a hearing loss that manifests itself in conjunction with additional disabilities including unilateral or bilateral, whether fluctuating, conductive, sensorineural, and/or auditory neuropathy, to students from birth through age 22, and classes organized primarily for adults in services across the continuum of program options available.

- (A) Holders of Education Specialist Credentials in Deaf and Hard-of Hearing and previously issued credentials authorizing deaf and hard-of-hearing instructional services who were employed prior to July 1, 2010 to provide instructional services in American Sign Language (ASL) to general education students may continue to provide instructional services in the area of ASL. Effective July 1, 2010, no new special education credential holders may qualify using this provision.
- (4) The Education Specialist Instruction Credential: Physical and Health Impairments authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of orthopedic impairment, other health impairment, multiple disabilities, and traumatic brain injury, to students from birth through age 22, and classes organized primarily for adults in services across the continuum of program options available.
- (5) The Education Specialist Instruction Credential: Visual Impairments authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of visual impairment including blind and deaf-blind, to students from birth through age 22, and classes organized primarily for adults in services across the continuum of program options available.
- (6) The Education Specialist Instruction Credential: Early Childhood Special Education authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, and provide instructional and Special Education Support to students from birth through pre-kindergarten who are eligible for early intervention special education and related services, to individuals with a primary disability in specific learning disabilities, mild/moderate ~~mental-retardation~~intellectual disabilities, traumatic brain injury, other health impairment, autism, moderate/severe ~~mental-retardation~~intellectual disabilities, emotional disturbance, and multiple disabilities including developmental delay and a disabling medical condition in services across the continuum of program options available.
- (7) The Early Childhood Special Education Added Authorization authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals and provide instructional and special Education Support to students from birth through pre-kindergarten who are eligible for early intervention special education and support with a primary disability in specific learning disabilities, mild/moderate ~~mental-retardation~~intellectual disabilities, traumatic brain injury, other health impairment, autism, moderate/severe ~~mental-retardation~~intellectual disabilities, emotional disturbance, and multiple disabilities including developmental delay and a disabling medical condition, in services across the continuum of program options available.
- (8) The Education Specialist Instruction Credential: Language and Academic Development authorizes the holder to conduct Educational Assessments related to student's access to

the academic core curriculum and progress towards meeting instructional academic goals; provide instruction, and Special Education Support to individuals as defined in subsections 300.8(c)(1) through (10), (12), and (13) and to students with expressive or receptive language disorders within subsection 300.8(c)(11) of Title 34 Code of Federal Regulations, Subpart A, with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas, in preschool, kindergarten, in grades 1 - 12 through age 22, and classes organized primarily for adults in services across the continuum of program options available. The Education Specialist Instruction Credential: Language and Academic Development authorizes the holder to provide instructional services to students with academic communication and language needs but does not take the place of speech and language services as defined in Education Code Section 56333.

(9) Individuals enrolled in an education specialist teacher preparation program on or after January 1, 2010 who complete content in autism spectrum disorders are authorized to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of autism as defined in subsection 300.8(c)(1) of Title 34 Code of Federal Regulations, Subpart A, across the continuum of special education program options at the grade and age levels within the specialty area(s) of the education specialist credential held.

(10) An Education Specialist Instruction Credential also authorizes the holder to provide one or more of the following:

(A) Individuals who complete enrolled in an education specialist teacher preparation program that includes content for teaching English learners as described in Education Code Section 44259.5 on or before December 31, 2013, who remain continuously enrolled, as defined in Education Code Section 44252.1(b)(2), until program completion are authorized to provide instruction for to limited-English language development in grades twelve and below, including preschool, and in classes organized for adults; and specially designed academic instruction in English within the subject area and grade level authorization of the Education Specialist Credential proficient pupils as specified in Education Code Section 44253.3(a).

(i) The final initial issuance date for a preliminary Education Specialist credential pursuant to this subsection shall be December 31, 2016 for individuals enrolled in traditional, blended or integrated, and university intern programs.

(ii) The final initial issuance date for a preliminary Education Specialist credential pursuant to this subsection shall be December 31, 2017 for individuals enrolled in district intern programs.

(B) Individuals enrolled in an education specialist teacher preparation program that includes content for teaching English learners as described in Education Code Section 44259.5(a) after December 31, 2013 are authorized to provide instruction

for English language development as defined in Education Code Section 44253.2(a) and specially designed content instruction delivered in English as defined in Education Code Section 44253.2(b) within the specialty area(s) and grade/age level authorization of the Education Specialist credential.

Note: Authority cited: Section 44225, Education Code. Reference: Sections 16191, 44252.1, 44253.2(a), 44253.2(b), 44259.5, 44265, 44265.5, 56031, 56360, 56361, 56365, and 56366, Education Code; 34 C.F.R. 300.8 (a), (b) and (c) and 300.39(a)(1)(i); and 20 USC 1401(3), (14), (15), (16), (29) and (30).